

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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| DARNELL CORBIN and | : | CIVIL ACTION |
| SHANEEN DAVIS | : | |
| | : | 22-CV- |
| v. | : | |
| | : | |
| HM DISTRIBUTION LLC a/k/a TOAS | : | |
| GLOBAL GROUP and ZHONGBIN GAO | : | |

NOTICE OF REMOVAL OF ACTION PURSUANT TO 28 U.S.C. §1441

COMES NOW, the Defendants, HM Distribution LLC a/k/a Toas Global Group (singularly, "HM") and Zhongbin Gao (singularly, "Gao") (collectively, "Defendants"), by and through their attorneys, Chartwell Law, by Anthony P. Trozzolillo, Esquire, hereby submit notice to the United States District Court for the Eastern District of Pennsylvania for removal of the above entitled action this Honorable Court in support thereof, respectfully represents the following:

1. Plaintiffs filed a civil action Complaint in the Court of Common Pleas of Philadelphia County on or about June 21, 2022 (a copy of which is attached hereto as Exhibit "A").
2. Pursuant to the Complaint, the two Plaintiffs, Darnell Corbin (singularly, "Corbin") and Shaneen Davis (singularly, "Davis") (collectively, "Plaintiffs"), are residents of the Commonwealth of Pennsylvania residing in Philadelphia.
3. According to the Complaint, HM, has its principal place of business located at 2167 China Place, Unit B, Chicago, IL 60616.
4. According to the Complaint, Gao, currently resides at 13720 45th Avenue, Apt. 4Z, Flushing, NY.
5. Diversified of citizenship exists between the Plaintiffs, citizens of Pennsylvania, and all of the Defendants pursuant to 28 U.S.C. §1441(a)(b).

6. Said diversity of citizenship existed at the time the action sought to be removed was commenced and continues to this time of filing of this notice.

7. Plaintiffs claim they were involved in a motor vehicle accident with Gao on November 23, 2020 and sustained significant personal injuries.

8. Removal is based on diversity of citizenship pursuant to 28 U.S.C. §1441(a)(b).

9. Removal of this case to the Eastern District of Pennsylvania is proper pursuant to 28 U.S.C. §1446.

10. Venue is proper in the Eastern District of Pennsylvania as the Eastern District is a judicial district in which the Plaintiffs reside, a judicial district in which a substantial part of the events or omissions giving rise to Plaintiffs' claims occurred; and the judicial district in which a substantial part of Plaintiffs' injuries are the subject of this accident and their treating physicians are situated.

11. Plaintiffs have averred in their Complaint, that they are seeking damages in excess of \$50,000.00.

12. Additionally, Plaintiff, Corbin, has alleged that he has sustained severe and disabling injuries to his neck, back and left leg that are permanent and injuries to his neck and cervical spine, back and thoracic back/lumbar spine and left leg including the bone, soft tissue, nerve and supportive structures.

13. Plaintiff, Davis, has made the same allegations regarding her severe, disabling and permanent injuries that Plaintiff Corbin has made.

14. Both Plaintiffs claim that the motor vehicle accident at issue has left them susceptible to additional injuries in the future.

15. Both Plaintiffs have alleged that they have undergone past and in the future will undergo great pain and suffering.

16. Both Plaintiffs have alleged that as a result of the accident, and the Defendants' negligence, they have been obligated to seek medical treatment.

17. Both Plaintiffs allege that the accident at issue has caused a permanent diminution of their ability to enjoy life and life's pleasures.

18. Both Plaintiffs have alleged that as a direct and proximate result of their injuries, they have both sustained permanent loss of earning power and earning capacity.

19. Both Plaintiffs have alleged that their injuries are permanent in nature and effect.

20. Both Plaintiffs have alleged that they will require future medical care.

21. Based on Plaintiffs' Complaint and the injuries and damages as plead, it is believe and therefore averred that Plaintiffs' claims for damages will be in excess of \$75,000.00 exclusive of costs and interest.

22. Diversity of citizenship existed at the time the action sought to be removed was commenced and continues to the filing of this notice.

23. Therefore, Defendants are entitled to removal to the Eastern District of Pennsylvania pursuant to 28 U.S.C. §§1441 and 1446(b).

24. This notice of removal is timely pursuant to 28 U.S.C. §1446(b) as it has been filed within thirty (30) days of receipt by Defendants of Plaintiffs' Complaint.

WHEREFORE, the above action now pending against Defendants in the Court of Common Pleas of Philadelphia County shall therefore be removed to this Honorable Court.

Respectfully submitted,

CHARTWELL LAW

Dated: 07/15/2022

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